

House File 546 - Introduced

HOUSE FILE 546

BY ISENHART

A BILL FOR

1 An Act providing for implementation of a local services
2 approach for addressing child foster care and associated
3 services provided outside this state.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. OUT-OF-STATE FOSTER CARE PLACEMENT — LOCAL
2 SERVICES APPROACH.

3 1. For the purposes of this section, unless the context
4 otherwise requires:

5 a. "Department" means the department of human services.

6 b. "Foster care" means any out-of-home placement of a child
7 in accordance with a court order entered under chapter 232 or
8 by agreement with the department.

9 c. "Foster care placement outside of this state" means
10 a foster care placement to which all of the following
11 circumstances are applicable:

12 (1) The location of the placement is outside of this state.

13 (2) The cost of the placement and the services associated
14 with the placement exceed the maximum amount payable under this
15 state's reimbursement limitations for a child with similar
16 needs in a foster care placement and the services associated
17 with the placement in this state.

18 2. For the fiscal year beginning July 1, 2011, the
19 department shall implement a local services approach in
20 accordance with the section. In the local services approach,
21 if a child from an area is in a foster care placement outside of
22 this state or the department is considering recommending such a
23 placement for a child, the department shall provide foster care
24 providers in the area with an opportunity to provide a level
25 of services comparable to the level of services necessitating
26 the placement outside this state. Under the local services
27 approach, in lieu of the reimbursement limitations otherwise
28 applicable to the foster care placement and associated services
29 for the child in this state, the cost of the placement and the
30 services associated with the placement shall not exceed the
31 lower of the following amounts:

32 a. The cost of the foster care placement outside of this
33 state and the services associated with the placement.

34 b. The average cost of foster care placements outside this
35 state and the services associated with such placements during

1 the previous fiscal year.

2 3. The department shall provide progress reports on
3 the local services approach to the members of the joint
4 appropriations subcommittee on health and human services, other
5 interested legislators, and the legislative services agency
6 during the 2012 legislative session and shall submit a final
7 report by December 14, 2012.

8

EXPLANATION

9 This bill requires the department of human services to
10 implement a local services approach for addressing child foster
11 care and associated services provided outside this state during
12 fiscal year 2011-2012.

13 The bill defines "foster care" to mean any out-of-home
14 placement of a child in accordance with a court order entered
15 under Code chapter 232 or by agreement with the department. A
16 foster care placement outside this state is one in which the
17 cost of the placement and the services associated with the
18 placement exceed the maximum amount payable under this state's
19 reimbursement limitations for a child with similar needs in
20 a foster care placement and the services associated with the
21 placement in this state.

22 In the local services approach, if a child from an area
23 is in a foster care placement outside of this state or the
24 department is considering recommending such a placement for
25 a child, the department is required to provide foster care
26 providers in the area with an opportunity to provide a level
27 of services comparable to the level of services necessitating
28 the placement outside this state. In lieu of the reimbursement
29 limitations otherwise applicable to the foster care placement
30 and associated services for the child in this state, the cost
31 of the services cannot exceed the lower of the following: the
32 cost of the foster care placement outside of this state and
33 the services associated with the placement or the average cost
34 of foster care placements outside this state and the services
35 associated with such placements during the previous fiscal

1 year.

2 The department is required to provide progress reports
3 on the local services approach to the members of the joint
4 appropriations subcommittee on health and human services, other
5 interested legislators, and the legislative services agency
6 during the 2012 legislative session and to submit a final
7 report by December 14, 2012.